

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on February 14, 2005
at 10:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Gary Branae, Vice Chairman (D)
Rep. Bob Lake, Vice Chairman (R)
Rep. John Balyeat (R)
Rep. Norma Bixby (D)
Rep. Edward B. Butcher (R)
Rep. Margaret H. Campbell (D)
Rep. Jill Cohenour (D)
Rep. Tom Facey (D)
Rep. Wanda Grinde (D)
Rep. George G. Groesbeck (D)
Rep. Dennis Himmelberger (R)
Rep. Dave McAlpin (D)
Rep. Jim Peterson (R)
Rep. Holly Raser (D)
Rep. John (Jack) W. Ross (R)
Rep. Bill Warden (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: Rep. Carol Lambert (R)
Rep. Scott Sales (R)

Staff Present: Jeff Martin, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:

Executive Action: HB 219; HB 276; HB 410; HB 511;
HB 513

Miscellaneous Committee Discussion:

00:01:17

REP. WAITSCHIES

00:01:55

REP. HIMMELBERGER

00:02:34

VAN CHARLTON

00:05:05

REPS. BUTCHER AND PETERSON ARRIVED AT HEARING.

EXECUTIVE ACTION ON HB 535

00:07:07

Motion: REP. HIMMELBERGER moved that HB 535 DO
PASS.

00:08:06

Motion: REP. LAKE moved that HB 535 BE AMENDED.

Discussion:

00:08:34

Jeff Martin, Legislative Services Division

00:09:05

REP. COHENOUR

00:09:24

REP. RASER

00:11:42

REP. BUTCHER

00:13:19

REP. FACEY

00:14:21

REP. ROSS

00:15:04

REP. PETERSON

00:15:13

Vote: Motion passed by voice vote with REPS.
McAPLIN, BUTCHER, FACEY, CAMPBELL and PETERSON
voting no and REPS. SALES and LAMBERT voting by
proxy.

00:16:00

Roll Call Vote was requested.

Discussion:

00:16:05

REP. BUTCHER

00:18:38

REP. LAKE

00:19:02

Substitute Vote: Motion passed by roll call vote
19-1 with REP. McALPIN voting no and REPS. LAMBERT
and SALES voting by proxy.

Discussion:

00:20:13

REP. BUTCHER

00:20:48 Motion: REP. LAKE moved that the Taxation Committee defer action on HB 535 until Thursday February 17, 2005. Motion passed by voice vote.

EXECUTIVE ACTION ON HB 219

00:21:36 Motion: REP. BRANAE moved that HB 219 DO PASS.

00:22:48 Motion: REP. BRANAE moved that HB 219 BE AMENDED.
[EXHIBIT](#) (tah36a01)

Discussion:

00:23:03 Jeff Martin, Legislative Services Division

00:24:43 Vote: Motion carried unanimously by voice vote with REPS. SALES and LAMBERT voting by proxy.

00:25:09 Motion: REP. BRANAE moved that HB 219 DO PASS AS AMENDED.

Discussion:

00:25:20 REP. COHENOUR
00:25:43 REP. BUTCHER
00:26:24 REP. WARDEN
00:26:45 REP. COHENOUR
00:26:57 REP. WISEMAN
00:29:00 REP. BUTCHER
00:29:53 REP. HIMMELBERGER
00:30:09 REP. BUTCHER
00:30:36 REP. WISEMAN
00:31:03 CHAIRMAN WAITSCHIES
00:32:29 REP. COHENOUR
00:33:03 REP. BUTCHER
00:33:56 REP. GROESBECK
00:34:51 REP. WISEMAN

00:35:13 Vote: Motion carried 11-9 by roll call vote with REPS. BALYEAT, BUTCHER, HIMMELBERGER, LAKE, LAMBERT, PETERSON, ROSS, SALES, and WAITSCHIES voting no and REPS. LAMBERT, PETERSON and SALES voting by proxy.

EXECUTIVE ACTION ON HB 276

00:37:19 **Motion:** REP. BRANAE moved that HB 276 DO PASS.

00:39:08 **Motion:** REP. BRANAE moved that HB 276 BE AMENDED.
EXHIBIT (tah36a02)

Discussion:

00:39:22 Jeff Martin, Legislative Services Division

00:42:34 **REP. CAMPBELL**

00:43:52 **REP. COHENOUR**

00:44:41 **Vote:** Motion passed by voice vote with REPS.
PETERSON, SALES and LAMBERT voting by proxy.

00:44:55 **Motion:** REP. BRANAE moved that HB 276 DO PASS AS
AMENDED.

Discussion:

00:45:15 **REP. ROSS**

00:45:35 REP. PETERSON ARRIVED AT HEARING.

00:45:42 **REP. BALYEAT**

00:46:00 **REP. COHENOUR**

00:47:17 **REP. WISEMAN**

00:47:52 **REP. LAKE**

00:49:00 **REP. HIMMELBERGER**

00:49:47 Jeff Martin, Legislative Services Division

00:50:25 **REP. LAKE**

00:51:06 **REP. FACEY**

00:51:54 **REP. BUTCHER**

00:52:10 REP. GROESBECK LEFT THE HEARING

00:53:08 **REP. COHENOUR**

00:54:23 **REP. RASER**

00:55:56 **REP. PETERSON**

00:57:13 **REP. COHENOUR**

00:58:11 **CHAIRMAN WAITSCHIES**

00:59:05 **REP. ROSS**

00:59:46 **Vote:** Motion failed 10-10 by roll call vote with
REPS. BIXBY, BRANAE, CAMPBELL, COHENOUR, FACEY,
GRINDE, GROESBECK, MCALPIN, RASER, and WISEMAN
voting aye and REPS. GROESBECK, LAMBERT, SALES and
WARDEN voting by proxy.

EXECUTIVE ACTION ON HB 410

01:01:31 **Motion:** REP. FACEY moved that HB 410 DO PASS.

01:01:40 **Motion:** REP. FACEY moved that HB 410 BE AMENDED.
EXHIBIT(tah36a03)

Discussion:

01:02:14 **REP. FACEY**

01:02:20 Jeff Martin, Legislative Services Division

01:02:39 REP. WARDEN RETURNED TO HEARING.

01:11:29 **REP. FACEY**

01:14:16 **Vote:** Motion carried unanimously by voice vote
with REPS. LAMBERT, SALES and GROESBECK voting by
proxy.

01:14:48 **Motion:** REP. FACEY moved that HB 410 DO PASS AS
AMENDED.

Discussion:

01:14:55 **REP. BALLYEAT**

01:16:19 **REP. FACEY**

01:16:51 **REP. LAKE**

01:17:42 **REP. WISEMAN**

01:18:55 **REP. FACEY**

01:19:25 Dolores Cooney, Montana Department of Revenue

01:21:26 **REP. WARDEN**

01:22:16 **REP. BALLYEAT**

01:22:30 **Vote:** Motion failed 10-10 by roll call vote with
REPS. BIXBY, BRANAE, CAMPBELL, COHENOUR, FACEY,
GRINDE, GROESBECK, MCALPIN, RASER, and WISEMAN
voting aye and REPS. GROESBECK, LAMBERT and SALES
voting by proxy.

01:23:47

ADJOURNMENT

Adjournment: 11:30 A.M.

REP. KARL WAITSCHIES, Chairman

DEBRA POLHEMUS, Secretary

KW/dp

Additional Exhibits:

EXHIBIT ([tah36aad0.TIF](#))